

**ORDINANCE NO. 2020-10**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, AMENDING PART 5, "BUILDING REGULATIONS AND CODES," CHAPTER 1, "BUILDING CODE AND REGULATIONS," OF THE CODE OF ORDINANCES OF THE TOWN OF LUTHER, OKLAHOMA, AMENDING SECTION 5-106, "BUILDING PERMIT REQUIREMENT; FEE," PROVIDING THAT BUILDING PERMITS SHALL BE APPROVED BY THE TOWN MANAGER RATHER THAN THE PLANNING COMMISSION; REPEALING ALL ORDINANCES TO THE CONTRARY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY**

**BE IS ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA:**

**SECTION I.** Section 5-106 of the Code of Ordinances of the Town of Luther, Oklahoma is hereby amended to read as follows:

**SECTION 5-106      BUILDING PERMIT REQUIREMENT; FEE**

- A. No building or other structure shall be built, enlarged, altered such that additional square feet is added to the structure or moved without a building permit except as otherwise provided in Section 12-240 of this Code. The term "altered" includes, but is not limited to:
  - 1. Whenever changes to a building or other structure alter the structure so that the total square feet of the structure is increased;
  - 2. Whenever a building or structure is to be moved from without the town to a location within the town or from one location in the town to another location in the town.
- B. The requirements for a building permit for accessory buildings and storage sheds and accessory structures are as follows:
  - 1. Any accessory building or storage shed that has a permanent foundation shall require a building permit.
  - 2. Any accessory building or storage shed in which electricity or plumbing is installed shall require a building permit.
  - 3. Any accessory building or storage shed that does not exceed twelve feet by twenty feet (12' x 20') and is not on a permanent foundation and does not have electricity or plumbing shall not require a building permit.
  - 4. A building permit shall be required for the installation of an inground pool, but shall not be required for an aboveground pool.
- C. A person desiring a building permit shall submit an application to the town clerk-treasurer during regular office hours. The applicant shall submit with the application such reasonable information as the town manager may require to determine whether granting the permit would be in accordance with the requirements of the ordinances of the town.


D. If the application is in accordance with the requirements of the ordinances and laws, the town manager shall approve the application for the permit and direct the clerk-treasurer to deliver the permit upon the payment by the applicant of a building permit fee which shall be set by motion or resolution of the board of trustees. A current copy of the fee schedule shall be kept in the office of the town clerk-treasurer.

**SECTION II.** All ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

**SECTION III.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by the Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

**SECTION IV.** It being immediately necessary for the preservation of the public peace, health, safety, and welfare of the Town of Luther and the inhabitants thereof that this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** and the Emergency Clause ruled upon separately this 10th day of November, 2020.

  
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Mayor Jenni White

  
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ATTEST:  
Town Clerk



APPROVED as to form this and legality:

  
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Beth Anne Childs, Town Attorney